

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

UNITED STATES OF AMERICA

NO. 6:06-CR-029-C(04)

v.

MARTIN BOLAND

GOVERNMENT'S RESPONSE TO DEFENDANT'S
MOTION UNDER 18 U.S.C. § 3582(c)(2)

I. Eligibility

A. The government:

agrees with the probation worksheet's finding that the defendant is ineligible for a sentence reduction and asks the Court to deny the motion.

agrees with the probation worksheet's finding that the defendant is eligible for a sentence reduction. Please see Part II for the government's recommendation as to whether to grant the motion for reduction.

does not agree with the probation worksheet's findings on the defendant's eligibility for a sentence reduction for the following reasons:

II. Recommendation (prosecutor will complete only if the defendant is eligible for a reduction)

A. If the defendant is eligible, the government:

- i. opposes any reduction.
- ii. does not oppose a reduction, but only to
 - the top of the new guideline range.
 - the middle of the new guideline range.
 - other:
- iii. does not oppose a reduction to the bottom of the defendant's new guideline range, which is the lowest sentence the defendant may receive. *See USSG § 1B1.10(2)(A).*
- iv. does not oppose a reduction to 0 months, which is _____% below 0 months, the bottom of the new guideline range. This is because the defendant's prior sentence of 0 months was _____% below 0 months, the bottom of the original range (applicable only if a defendant received a below-guidelines sentence due to a substantial-assistance motion, *see USSG § 1B1.10(b)(2)(B)).*

B. If the government checked boxes (i.) or (ii.) above—and therefore opposes a full reduction in the defendant's sentence—the reasons include (prosecutor will check one or more):

- the defendant's criminal history
- the offense conduct or relevant conduct
- the defendant's post-sentencing conduct
- other:

Further explanation of the government's opposition includes:

This Court previously sentenced the defendant to the top of the then-applicable sentencing guideline range.

Respectfully submitted,

JOHN R. PARKER
UNITED STATES ATTORNEY

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s/Denise Williams

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was mailed
on 7/23/15 to Martin Boland, Register No. 35902-177
FCI Texarkana, P.O. Box 7000, Texarkana, TX 75505.

s/Denise Williams
DENISE WILLIAMS
Assistant United States Attorney